IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTH DAY OF MARCH
TWO THOUSAND AND SIX

PRESENT

THE HON'BLE MR JUSTICE J.CHELAMESWAR

AND
THE HON'BLE MR JUSTICE M.VENKATESWARA REDDY

-

WRIT PETITION No.4323 OF 2006

Between:

The Commissioner and Director of

Agriculture, Andhra Pradesh,

Hyderabad and another

..... PETITIONERS

AND

M.Karl Marx, S/o.Sri M.Eswarappa,

Aged about 43 years, Occ: Agriculture

Officer, Office of Asst. Director of

Agriculture, [R] Penugonda,

Anantapur District.

....RESPONDENT

THE HON'BLE MR JUSTICE

J.CHELAMESWAR

AND
THE HON'BLE MR JUSTICE

M.VENKATESWARA REDDY

WRIT PETITION No.4323 OF 2006

O R D E R

(Per Sri Justice J.Chelameswar)

Aggrieved by the order in O.A.No.5186 of 2005 on the file of A.P. Administrative Tribunal, dated 26.10.2006, the unsuccessful respondents filed the present writ petition.

The sole respondent one Mr.M.Karl Marx, who was working as Mandal Agricultural Officer, Penukonda, Anantapur District, was transferred and allotted to the Joint Director of the Agriculture, Cuddapah, by the proceedings dated 25.08.2005 of the first petitioner herein. Aggrieved by the same, the respondent approached the Tribunal in the above-mentioned O.A. The Tribunal allowed the O.A. on the ground that it is not a transfer simpliciter on the ground of administrative requirement, but the order carries a stigma against the petitioner. The relevant portion of the transfer reads as follows:

> " The Joint Director of Agriculture, Anantapur vide reference cited has reported that Sri Karl Marx, Mandal Agricultural Officer, Penukonda, Anantapur district is not attending to his regular duties and not obeying the orders of higher authorities. The Joint Director of Agriculture further informed that the Agril. Officer is not achieving the targets allotted to him for Departmental schemes. The Cell Phone attached to him is always switched off, he is not in contact with Joint Director off Agriculture, Anantapur when needed and causing very much inconvenience.
>
> In view of the above circumstances Sri Karl Marx, Mandal Agricultural Officer, Pendukonda, Anantapur district is transferred and allotted to the Joint Director of Agriculture, Kadapa on administrative grounds."

It is obvious from the above extract that the transfer comes with it a stigma.

In the circumstances, we do not see any reason to interfere with the order under challenge. It is open to the petitioners to initiate disciplinary action against the respondent, if the situation so warrants.

Accordingly, the writ petition is dismissed at the stage of admission itself. There shall be no order as to costs.

JUSTICE J.CHELAMESWAR

JUSTICE M.VENKATESWARA REDDY

7th MARCH, 2006

PGS

THE HON'BLE MR JUSTICE

J.CHELAMESWAR

AND
THE HON'BLE MR JUSTICE

M.VENKATESWARA REDDY

WRIT PETITION No.4323 OF 2006

(Per Sri Justice J.Chelameswar)

7th MARCH, 2006